

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

<p>SECURITIES AND EXCHANGE COMMISSION,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p style="padding-left: 40px;">vs.</p> <p>PAUL W. HAARMAN, PATRICK E. DUKE, and</p> <p>APEG ENERGY GP, LLC,</p> <p style="padding-left: 40px;">Defendants.</p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p>	<p>Civil Action No.: 1:21-cv-235-DAE</p>
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**NOTICE OF INTENT TO NOT PROCEED TO TRIAL ON CLAIMS
FOR WHICH THE COURT HAS NOT FOUND LIABILITY**

Pursuant to the Court’s Order Granting in Part and Denying in Part Motion for Clarification or Reconsideration [Dkt. No. 89], Plaintiff Securities and Exchange Commission (“Commission”) files this notice of its intention not to proceed to trial on claims for which the Court has not found liability.

1. Following the Commission’s Motion for Partial Summary Judgment, and the parties’ briefing thereon, the Court entered its Order Granting in Part and Denying in Part Plaintiff’s Partial Motion for Summary Judgement. *See* Dkt. Nos. 82 & 89.

2. The Court ordered the Commission “to advise the Court whether it intends to proceed to trial on all or some of the claims for which the Court has not found liability.” Dkt. 82 at 30 and Dkt. No. 89 at 6.

3. Pursuant to the Court’s orders, the Commission hereby advises the Court that it does not intend to proceed to trial on the claims for which the Court has not found liability.

4. Accordingly, the Commission is preparing to file a motion for remedies and for entry of final judgment against Defendants based on the claims for which the Court has found liability. Unless otherwise ordered, the Commission expects to file this motion within approximately 60 days.

Dated: August 7, 2025

Respectfully submitted,

/s/ Tyson M. Lies

TYSON M. LIES

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SECURITIES AND EXCHANGE COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2025, I electronically filed the foregoing via the Court's CM/ECF filing system, which will send a notice of electronic filing to all CM/ECF participants. I further certify that I served a true and correct copy of the foregoing document and the notice of electronic filing via electronic mail as detailed below:

<i>Via email to patrick@dynevolve.com and pduke@apegtx.com</i>	<i>Via email to mford@fordobrien.com</i>
Patrick Duke, <i>Pro Se</i>	Matthew Ford Counsel for Defendants Paul W. Haarman and APEG Energy GP, LP

/s/ Tyson M. Lies

Tyson M. Lies